

D/L307  
04.12.2023  
Bpg.

C.R.R.4485 of 2023

In Re: An application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973;

Dilbar Hossain @ Bagh Sk.  
Versus  
The State of West Bengal

Mr. Snehasish Ghosh  
Ms. Chandrima Debnath.  
...for the petitioner.

Mr. Mirza Firoj Ahmed Begg.  
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Mirza Firoj Ahmed Begg, learned advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authorities.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for one year and five months and even after charge-sheet has been submitted and charge has been framed but till date out of nine witnesses so proposed by the prosecuting agency, none of the witnesses have been examined.

Having regard to the plight expressed by the learned advocate appearing for the petitioner, I am of the opinion that the same is justified. Learned trial court would fix a schedule consisting of three dates and fix such schedule once in every 45 days on or from the next date so fixed.

No unnecessary adjournment should be granted to either of the parties. In case any witness is not cooperating with the

learned trial court and is reluctant to appear, learned special court would be at liberty to communicate with the Superintendent of Police of the concerned district who would take steps for ensuring the presence of the witnesses. The public prosecutor conducting the case would ensure regarding the production of the materials, exhibits and documents available on the dates so fixed for examination of the witnesses. All stakeholders would co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 4485 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Tirthankar Ghosh, J.)**